

EXHIBIT A

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

Index No.:
Date Purchased:

-----X
AMY MICHAEL,

SUMMONS

Plaintiff,

Plaintiff designates **Kings
County** as the place of trial.

-against-

The basis of venue is:
Plaintiff's Residence.

BOB EVANS RESTAURANTS, LLC,

Defendant.
-----X

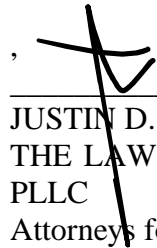
Plaintiff resides at:
326 Bainbridge Street
Brooklyn, New York

County of Kings

To the above named Defendants:

You are hereby summoned to answer the complaint in this action, and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the Plaintiff's attorney(s) within twenty days after the service of this summons, exclusive of the day of service, where service is made by delivery upon you personally within the state, or, within 30 days after completion of service where service is made in any other manner. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: New York, New York
December 10, 2021



JUSTIN D. BRANDEL
THE LAW OFFICES OF JUSTIN D. BRANDEL,
PLLC
Attorneys for Plaintiff
AMY MICHAEL
274 Madison Avenue, Suite 402
New York, New York 10016
(646) 522-8052

TO:
BOB EVANS RESTAURANTS, LLC
C/O C T CORPORATION SYSTEM
28 LIBERTY STREET
NEW YORK, NY 10005

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

-----X
AMY MICHAEL,

Plaintiff,

-against-

BOB EVANS RESTAURANTS, LLC,

Defendant.
-----X

Index No.:
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VERIFIED COMPLAINT

Plaintiff, by her attorneys, **THE LAW OFFICES OF JUSTIN D. BRANDEL, PLLC**,
complaining of the Defendant, respectfully allege, upon information and belief:

1. That at all times herein mentioned, Plaintiff **AMY MICHAEL** was, and still is, a resident of the County of Kings, State of New York.
2. That at all of the times hereinafter mentioned, Defendant **BOB EVANS RESTAURANTS, LLC** was a domestic corporation duly organized and existing under and by virtue of the Laws of the State of New York.
3. That at all the times hereinafter alleged, Defendant **BOB EVANS RESTAURANTS, LLC** was and still is a foreign corporation authorized to do business under and by virtue of the laws of the State of New York.
4. That at all of the times hereinafter mentioned, Defendant **BOB EVANS RESTAURANTS, LLC** maintained a principal place of business in the State of New York.
5. That at all of the times hereinafter mentioned, Defendant **BOB EVANS**

RESTAURANTS, LLC conducted and carried on business in the State of New York.

6. That at all of the times hereinafter mentioned, Defendant **BOB EVANS**

RESTAURANTS, LLC transacted business within the State of New York.

7. That at all of the times hereinafter mentioned, Defendant **BOB EVANS**

RESTAURANTS, LLC derived substantial revenue from goods used or consumed or services rendered in the State of New York.

8. That at all of the times hereinafter mentioned, Defendant **BOB EVANS**

RESTAURANTS, LLC expected or should have reasonably expected its acts to have consequences in the State of New York.

9. That at all of the times hereinafter mentioned, Defendant **BOB EVANS**

RESTAURANTS, LLC owned the premises known as Bob Evans Restaurant, located at 14050 Thunderbolt Place, in town/census-designated place of Chantilly, County of Fairfax, State of Virginia.

10. That at all of the times hereinafter mentioned, Defendant **BOB EVANS**

RESTAURANTS, LLC operated the premises known as Bob Evans Restaurant, located at 14050 Thunderbolt Place, in town/census-designated place of Chantilly, County of Fairfax, State of Virginia.

11. That at all of the times hereinafter mentioned, Defendant **BOB EVANS**

RESTAURANTS, LLC, through its agents, servants and/or employees, maintained the aforementioned premises.

12. That at all of the times hereinafter mentioned, Defendant **BOB EVANS**

RESTAURANTS, LLC, through its agents, servants and/or employees, managed the aforementioned premises.

13. That at all of the times hereinafter mentioned, Defendant **BOB EVANS RESTAURANTS, LLC**, through its agents, servants and/or employees, inspected the aforementioned premises.
14. That at all of the times hereinafter mentioned, Defendant **BOB EVANS RESTAURANTS, LLC**, through its agents, servants and/or employees, repaired the aforementioned premises.
15. That at all of the times hereinafter mentioned, Defendant **BOB EVANS RESTAURANTS, LLC**, through its agents, servants and/or employees, controlled the aforementioned premises.
16. That on August 13, 2021, Plaintiff **AMY MICHAEL** was lawfully within the aforementioned premises.
17. That on August 13, 2021, while Plaintiff **AMY MICHAEL** was lawfully at the aforementioned location, Plaintiff was caused to slip and/or trip and fall and sustain severe and permanent injuries.
18. That the aforementioned occurrence, and the results thereof, were caused by the negligence of Defendant and/or said Defendant's agents, servants, employees and/or licensees in the ownership, operation, management, maintenance, repair and control of the aforesaid premises.
19. That Defendant **BOB EVANS RESTAURANTS, LLC**, through its agents, servants and/or employees, caused and created the condition that caused Plaintiff to slip and/or trip and fall and sustain severe and permanent injuries.
20. That Defendant **BOB EVANS RESTAURANTS, LLC**, through its agents, servants and/or employees, failed to warn of the condition that caused Plaintiff to slip and/or trip


and fall and sustain severe and permanent injuries.

21. That no negligence on the part of the Plaintiff contributed to the occurrence alleged herein in any manner whatsoever.
22. That because of the negligence of Defendant, Plaintiff was caused to sustain serious injuries and to have suffered pain, shock and mental anguish; that these injuries and their effects will be permanent; and as a result of said injuries Plaintiff has been caused to incur, and will continue to incur, expenses for medical care and attention; and, as a further result, Plaintiff was, and will continue to be, rendered unable to perform Plaintiff's normal activities and duties and has sustained a resultant loss therefrom.
23. That by reason of the foregoing, Plaintiff was damaged in a sum which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.
24. That this action falls within one or more of the exemptions set forth in CPLR §1602.

WHEREFORE, Plaintiff demands judgment against the Defendant herein, in a sum exceeding the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with the costs and disbursements of this action.

Dated: New York, New York
December 10, 2021

Yours, etc.



JUSTIN D. BRANDEL
THE LAW OFFICES OF JUSTIN D. BRANDEL,
PLLC
Attorneys for Plaintiff
AMY MICHAEL
274 Madison Avenue, Suite 402
New York, New York 10016
(646) 522-8052

ATTORNEY'S VERIFICATION

JUSTIN D. BRANDEL, an attorney duly admitted to practice before the Courts of the State of New York, affirms the following to be true under the penalties of perjury:

I am an attorney at THE LAW OFFICES OF JUSTIN D. BRANDEL, PLLC, attorneys of record for Plaintiff(s) **AMY MICHAEL**. I have read the annexed

COMPLAINT

and know the contents thereof, and the same are true to my knowledge, except those matters therein which are stated to be alleged upon information and belief, and as to those matters I believe them to be true. My belief, as to those matters therein not stated upon knowledge, is based upon facts, records, and other pertinent information contained in my files.

The reason this verification is made by me and not Plaintiff(s) is that Plaintiff(s) is/are not presently in the county wherein the attorneys for the plaintiff(s) maintain their offices.

DATED: New York, New York
December 10, 2021



JUSTIN D. BRANDEL

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS**

-----X
AMY MICHAEL,

Index No.:

Plaintiff,

-against-

BOB EVANS RESTAURANTS, LLC.,

Defendant.

-----X

SUMMONS AND VERIFIED COMPLAINT

-----X

THE LAW OFFICES OF JUSTIN D. BRANDEL, PLLC
274 Madison Avenue, Suite 402
New York, New York 10016
(646) 522-8052

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

Plaintiff / Petitioner:

AMY MICHAEL

Defendant / Respondent:

BOB EVANS RESTAURANT, LLC

AFFIDAVIT OF SERVICE

Index No:

53167/2021

The undersigned being duly sworn, deposes and says; deponent is not a party herein, is over 18 years of age and resides at 88-18 Sutphin Blvd Suite 201, Jamaica, NY 11435. That on Thu, Dec 16 2021 AT 03:27 PM AT 28 LIBERTY STREET, NEW YORK, NEW YORK 10005 deponent served the within SUMMONS AND VERIFIED COMPLAINT WITH NOTICE OF ELECTRONIC FILING (Consensual Case) on BOB EVANS RESTAURANT, LLC c/o CT CORPORATION SYSTEM.

- ☐ Individual: by delivering a true copy of each to said defendant / respondent, personally; deponent knew the person so served to be the person described as said defendant / respondent therein.
- ☒ Corporation: BOB EVANS RESTAURANT, LLC a defendant / respondent, therein named, by delivering a true copy of each to Vincenzo Cipriano personally, deponent knew said corporation so served to be the corporation described, and knew said individual to be duly empowered to accept service on behalf of the corporate entity with said individual acknowledging that he/she was authorized to accept service as Authorized person for the corporation, thereof.
- ☐ Suitable Person: by delivering thereat, a true copy of each to _____ a person of suitable age and discretion.
- ☐ Affixing to Door: by affixing a true copy of each to the door thereof, deponent was unable with due diligence to find defendant / respondent, or a person of suitable age or discretion thereat, having called thereon; at
- ☐ Mailing: Deponent also enclosed a copy of same, in a postpaid sealed wrapper marked personal and confidential properly addressed to said defendant / respondent at defendant / respondent's last known residence / business, _____, and depositing.
- ☐ Military Service: I asked the person spoken to whether defendant / respondent was in active military service of the United States or of the State of New York in any capacity whatsoever or whether he / she was dependent upon anyone in the active military service of New York State or the United States and received a negative reply. *Defendant / respondent wore ordinary civilian clothes and no military uniform.* The source of my information and the ground of my belief are the conversations and observations above narrated. Upon information and belief I aver that the defendant / respondent is not in the military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Description:

Age: 55 Ethnicity: Caucasian Gender: Male Weight: 120
Height: 5'5" Hair: Black Eyes: Brown Relationship: Authorized person
Other _____

Sworn to before me on 12/18/2021

Larry Hyppolite
DCA-1241096

Notary Public

JULIAN KARAIN HAMILTON FORBES
Notary Public, State of New York
Qualified in Queens County
No. 01FIA6101386
Commission Expires 11/10/2023